

**ORDINANCE NO. 21-  
CITY OF WEST ST. PAUL  
DAKOTA COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING SECTION 3.04 OF THE WEST ST. PAUL CITY  
CHARTER REGARDING ORDINANCES, RESOLUTIONS AND MOTIONS**

The City Council of West St. Paul does ordain:

**SECTION 1.** West St. Paul City Charter Section 3.04 relating to Ordinances, Resolutions and Motions is hereby amended as follows:

Sec. 3.04. Ordinances, Resolutions, and Motions. Except as in this Charter otherwise provided, all legislation shall be by ordinance. The Council shall keep a journal of its proceedings and the ayes and nays when taken on any question shall be entered on such journal. Any member of the Council who, being present when his or her name is called, fails to vote up any pending motion, in a tone plainly understood by the presiding officer, shall be counted as having voted in the negative.

Subd. 1. An affirmative vote of a majority of all the members of the Council shall be required for the passage of all ordinances, resolutions, and motions, except as otherwise provided in state law or this Charter.

Subd. 2. An affirmative vote of at least five (5) members of the Council shall be required for the passage of the certification of the annual levy to the County Auditor or the passage of the annual budget.

Subd. 3. Only the number of council members eligible to vote will be counted when this Charter provides a voting requirement, such as “a majority of all the members of the Council.” The total number of council members eligible to vote on a matter does not include vacancies that exist under the provisions of section 2.05 and council members who cannot vote because of a legally recognized conflict of interest on the matter.

**SECTION 2. SUMMARY PUBLICATION.** Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The amendment clarifies the number of eligible votes of the council when a vacancy exists or when there is a legally recognized conflict of interest.

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

Attest:

\_\_\_\_\_  
David J. Napier, Mayor

\_\_\_\_\_  
Shirley R Buecksler, City Clerk